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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re: COSTANTINO, John G., Debtor.	Chapter 7 Case No. 18-3301(ABA) Hon. Andrew B. Altenburg, Jr., U.S.B.J.
ANDREW SKLAR, TRUSTEE, Plaintiff, v. NADINE GRASSI and BRIAN COSTANTINO, in his capacity as the Executor of the Estate of Joseph Spadaro, Defendants.	Adv. Pro. No. 19-2292

ORDER TO SHOW CAUSE

The relief set forth on the following pages, numbered two (2) through four (4), is hereby

ORDERED.

(Page 2)

Debtor: John G. Costantino
Case No.: 18-33011(ABA)
Caption: Andrew Sklar, Chapter 7 Trustee v. Grassi, *et al.*
Adv. Pro. No.: 19-2292
Caption of Order: Order to Show Cause

THIS MATTER having been presented to the Court on an application for an Order to Show Cause filed by McManimon, Scotland & Baumann, LLC, counsel to Plaintiff Andrew Sklar, Chapter 7 trustee (“Trustee”) in the Chapter 7 bankruptcy case of John G. Costantino against defendant Brian Costantino, in his capacity as the Executor of the Estate of Joseph Spadaro (the “Executor”), seeking relief by way of preliminary and permanent injunction pursuant to Fed. R. Bankr. P. 7065, and Fed. R. Civ. P. 65 seeking to enjoin proceedings in the state court and based upon the facts set forth in the Certification of Andrea Dobin, Esq., as counsel to the Trustee, and Memorandum of law filed herewith;

IT IS ORDERED the Executor must appear and show cause before the Honorable Andrew B. Altenburg, Jr., United States Bankruptcy Judge, at the United States Bankruptcy Court, 400 Cooper St., 4th Floor, Camden, New Jersey, on the _____ day of _____, 2020, why a preliminary and permanent injunction should not be entered providing the following relief:

1. Declaring the April Order entered in the matrimonial proceeding involving the Debtor and Defendant Grassi to be *void ab initio*;
2. Requiring the Executor to withdraw the Motion to Intervene he filed in said matrimonial proceeding;
3. Directing the Executor to recover the Inheritance from the party to whom he transferred same; and
4. Imposing monetary sanctions, including possible punitive sanctions, on the Executor for a willful violation of the automatic stay.

(Page 3)

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AND IT IS FURTHER ORDERED THAT:

A. A copy of this Order to Show Cause, Certification and Memorandum of Law, be served upon the Executor c/o his counsel Gilbert Brooks, Esq., Duane Morris, LLP, 1940 Route 70 East, Suite 100, Cherry Hill, New Jersey 08003 by Overnight Delivery within ____ days of the date hereof. A courtesy copy will be delivered by overnight mail to Grassi, care of her counsel, Steven Neuner, Esq., Neuner & Ventura, LLP 200 Haddonfield, Berlin Road, Suite 300, Gibbsboro, NJ 08026.

B. Plaintiff must file with the court their proof of service of the pleadings on Defendants no later than _____ days before the return date hereof.

C. The Executor shall file with the Clerk of the Bankruptcy Court and serve any written response to this Order to Show Cause and the request for entry of injunctive relief by _____, 2020. MTAG must also send a copy of its opposition papers to the Plaintiff's attorneys, whose name and address appears above. A telephone call will not protect your rights; you must file your opposition, pay any filing fees and serve your opposition on your adversaries, if you want the court to hear your opposition to the injunctive relief Plaintiff is seeking.

D. Plaintiff must file and serve any written reply to Defendants' opposition by _____, 2020. Any reply papers must be filed with the Clerk of the United States Bankruptcy Court for the District of New Jersey, and a copy of the reply papers must be sent directly to the Court's chambers.

E. If the Executor does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default,

(Page 4)

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provided that the plaintiff files a proof of service and a proposed form of order at least three (3) days prior to the return date.

F. If Plaintiff has not already done so, a proposed form or order addressing the relief sought on the return date must be submitted to the Court no later than one day before the return date.

G. The Court will consider oral argument, but not testimony, on the return date of the Order to Show Cause, unless the Court and parties are advised to the contrary no later than ____ days before the return date.